

**Court of Appeals, State of Michigan**

**ORDER**

Paul Burt v Arnold Nursing Home Inc

Docket No. 259109

LC No. 03-323993-NO

Helene N. White


Presiding Judge

Kurtis T. Wilder

Karen M. Fort Hood  
Judges

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The Court orders that the motion to dismiss is DENIED. Although the Court lacks jurisdiction for this appeal of right because the appeal was not timely filed with respect to the final order entered on July 20, 2004, in light of the fact that plaintiff-appellant filed a prior, timely claim of appeal from the final order, the Court grants plaintiff-appellant leave to appeal under MCR 7.205(F). The appeal is limited to review of the dismissal of plaintiff-appellant's claims against Sinai-Grace Hospital; the appeal may proceed with respect to defendant-appellee Sinai-Grace Hospital.

  
\_\_\_\_\_  
Presiding Judge



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 11 2005

\_\_\_\_\_  
Date

  
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Chief Clerk